

NAHRGANG & ASSOCIATES, P.C.
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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: Arthur Herring, III
Debtor

:
: NO. 20-12141
:
: CHAPTER 7

**MOTION FOR EXPEDITED HEARING ON MOTION OF MATTHEW R. NAHRGANG,
ESQUIRE, TO WITHDRAW AS COUNSEL FOR DEBTOR**

1. On or about April 28, 2020, Debtor filed a petition for relief under Chapter 7 of the Bankruptcy Code.

2. On or about September 17, 2020, Debtor, pro se, without Movants knowledge or advice, filed document No 15 in the Adversary Case indexed 20-180. Prior to Movants engagement as counsel to Debtor, Debtor consistently disagreed with Movants advice and handling of matters. Despite that, Debtor retained Movant for this case with Movants understanding that Debtor would accept and heed Movants advice regarding the case. Unfortunately, those disputes persisted post filing. Despite that, Debtor once again retained Movant to represent him in the Adversary case. Once again, the disputes persisted.

3. Movant submits the Motion should be granted for the following reasons:

a. Debtor apparently desires to be pro se in this case as he acted without Movant's knowledge or advice in filing

Document 15;

b. During the entire course of the representation, Debtor disagreed with Movant on nearly all advice and explanations of procedures and law given by Movant;

c. Debtor is engaging in conduct that Movant believes is repugnant;

d. Movant requested Debtor authorization by phone and email to withdraw Document 15 or Movant would file a Motion to Withdraw as counsel. Debtor has not communicated with Movant since the September 17, 2020, filing, once again indicating his desire to be pro se.

4. Movant respectfully submits this Motion should be heard on an expedited basis for the following reasons:

a. On or about June, 2020, an Adversary Complaint was filed against the Debtor, a Motion for Summary Judgment has been taken under advisement, and deadlines are approaching pursuant to this Honorable Courts Pretrial Order. Plaintiff in that case does not consent to an extension of those deadlines, but does consent to Movants Withdrawal;

b. a second 341 meeting is scheduled for Thursday, September 24, 2020, and while Movant requested that the same be postponed, if it is to occur, the same will likely take place before this matter can be heard in the ordinary course.

c. This Honorable Court could render a decision on the pending MSJ before this matter can be heard in the ordinary course, which decision will likely require action on the part of Debtor who is currently represented, but apparently wants to be

pro se.

WHEREFORE, Movant respectfully requests that this Court enter an Order granting the Motion for an Expedited Hearing and Movants Motion to Withdraw as Counsel to Debtor.

Respectfully submitted,
/s/ Matthew R. Nahrgang

Matthew R. Nahrgang,
Attorney for Movant